

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CIVIL ACTION NO. 1:23-CV-270

MACKENZIE ELAINE BROWN

Plaintiffs,

v.

HENDERSON COUNTY  
SHERIFF'S OFFICE, et al.

Defendants.

EXHIBIT 3

APPEARANCE BOND FOR PRETRIAL RELEASE

## STATE OF NORTH CAROLINA

Henderson County

File No.

21CR053859

In The General Court Of Justice  
 District  Superior Court Division

## Name And Mailing Address Of Defendant

Mackenzie Elaine Brown  
158 Haven Road  
East Flat Rock NC 28726

## Telephone No. Of Defendant

## Total Bond Required

\$ 2,000.00

## Amount Of This Bond

\$ 2,000.00

APPEARANCE BOND  
FOR  
PRETRIAL RELEASE

#21R0102739

G.S. 15A-531, 15A-534, 15A-544.2

## Offenses And Additional File Numbers

21CR53859 WFA; M-Injury to personal property

 See Attachment

**Unsecured Appearance Bond** - I, the undersigned defendant, acknowledge that my personal representatives and I are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.

**Cash Appearance Bond By Defendant (See note on reverse side.)** - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, and hereby deposit the cash identified below as security with the understanding that the deposit will be returned upon the Court's determination that the conditions of release have been performed, subject to the conditions of this Bond stated on the reverse side, and that it will be available to satisfy my obligations.

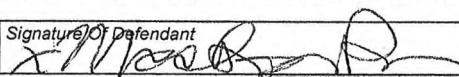
**Defendant's Property Appearance Bond** - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side, and as security for said Bond have executed a mortgage or deed of trust to real or personal property, payable to the State of North Carolina and with power of sale conditioned upon the breach of any condition of this Bond.

**Surety Appearance Bond** - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side. Any undersigned professional bondsman, bail agent, or runner attests that the AFFIDAVIT on the reverse side is complete and true. If a cash deposit is indicated below, surety(ies) has deposited the cash to secure the obligation as surety(ies) on this bond with the understanding that the deposit will be returned to the surety(ies) upon termination of that obligation as provided by law, and that it will NOT be available to satisfy defendant's obligations. (For cash bond, see note on reverse side.)

## Date Of Execution Of Bond

10-1-2021

## Signature Of Defendant



## ACCOMMODATION BONDSMAN

See attached AOC-CR-201A for additional accommodation bondsmen executing this bond.

## Name And Address Of Accommodation Bondsman

## Name And Address Of Accommodation Bondsman

## Telephone No.

## Telephone No.

## PROFESSIONAL BONDSMAN

## Name Of Bondsman

## Name Of Runner, If Applicable

## License No. Of Bondsman

## Telephone No.

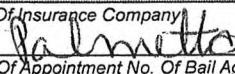
## License No. Of Runner

## Telephone No.

## INSURANCE COMPANY

## Name Of Insurance Company

## Name Of Bail Agent



Tonya McElveen

## Power Of Appointment No. Of Bail Agent

PSC 5-1650034

## License No. Of Bail Agent

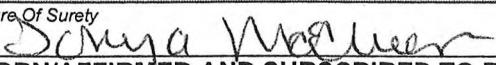
19645075

## Telephone No.

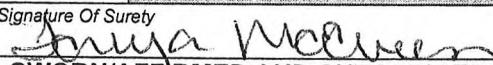
(843)527-1292

## SIGNATURE

## Signature Of Surety



## Signature Of Surety



## SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

10/1/21

Signature

10/4/21

Signature

 Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court Custodian Of Detention Facility [G.S. 15A-537(c)] Custodian Of Detention Facility [G.S. 15A-537(c)]

## COMPLETE IF CASH DEPOSITED

## Signature Of Official Accepting Cash

## Name Of Official Accepting Cash (type or print)

## Receipt No.

NOTE: If cash deposited, see note on reverse side.

**CONDITIONS**

The conditions of this Bond are that the above named defendant shall appear in the above entitled action(s) whenever required. It is agreed and understood that this Bond is effective and binding upon the defendant and each surety throughout all stages of the proceedings in the trial divisions of the General Court of Justice until the entry of judgment in the district court from which no appeal is taken or until the entry of judgment in the superior court, unless terminated earlier by operation of law or order of the court. If the defendant appears as ordered until termination of the Bond, then the bond is to be void, but if the defendant fails to appear as required, the Court will forfeit the bond pursuant to Part 2 of Article 26 of Chapter 15A of the General Statutes.

Each accommodation bondsman, by signing on the reverse or on the attached AOC-CR-201A, states: "I have reached the age of 18 years and am a bona fide resident of North Carolina. Aside from love and affection and release of the above named defendant, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should it be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

**AFFIDAVIT**

NOTE: "Professional bondsmen, surety bondsmen [bail agents], and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts." G.S. 58-71-140(d). Check all options that apply.

- 1. I have not, nor has anyone for my use, been promised or received any collateral, security or premium for executing this Bond.
- 2. I have been promised a premium in the amount shown below, which is due on the date shown below.
- 3. I have received a premium in the amount shown below.
- 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised	Date Due	Amount Of Premium Received
\$ 200.00	10-1-2021	\$ 200.00
Name Of Person From Whom Collateral Received	Nature Of Collateral	Value

*Indemnity Agreement*

**AFFIX STAMP OR  
POWER OF ATTORNEY  
HERE****RETURN OF CUSTODIAN OF DETENTION FACILITY**

The defendant named on the reverse was released from my custody on the date shown below upon the execution of this Appearance Bond.

Date Defendant Released	Name Of Custodian (type or print)	Signature Of Custodian	<input type="checkbox"/> Sheriff	<input type="checkbox"/> Deputy Sheriff
10/1/21	Cameron B Burke II	<i>C. B. Burke II</i>	<input checked="" type="checkbox"/> Other Detention Office	

**NOTES ON CASH BONDS:**

(1) **To Official Taking The Bond.** Use this form for all cash bonds. Complete this form as follows:

**When Cash Deposited By Defendant Or By Another Person Who Intends For The Cash To Be Used To Satisfy The Defendant's Obligations.**

Enter defendant's name, address and telephone number at the top of Side One. Check "Cash Appearance Bond By Defendant." Have defendant sign. Do no more. No other person's name should appear on this form. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to DEFENDANT, not to any other person.

**When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Used To Satisfy The Defendant's Obligations.**

Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond." Have defendant sign. Enter name, address and telephone number of person depositing cash under "Accommodation Bondsman." Have that person sign under "Signature Of Surety." Complete notarization for that person. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to person depositing the cash.

(2) **To Bookkeeper.** If case disposed without forfeiture, disburse cash as follows: (1) If "Cash Appearance Bond By Defendant" checked on Side One, disburse to defendant or apply to defendant's obligations if court so orders. (2) If "Surety Appearance Bond" is checked on Side One, disburse only to the person(s) named under "Accommodation Bondsman."

(3) **Bond By Insurance Company Or Professional Bondsman As Surety Is Same As Cash Except In Child Support.** G.S. 15A-531(4) provides that an appearance bond executed by an insurance company or a professional bondsman (or a bail agent or runner on behalf of one of those sureties) is considered the same as a cash deposit, except in child support contempt proceedings for which only cash may satisfy a cash bond requirement.

POWER AMOUNT

\$ 2,000.00

POWER OF ATTORNEY

**ALMETTO SURETY CORPORATION**

PSC

165003

75 Port City Landing, Suite 130, Mount Pleasant, SC 29464

KNOW ALL MEN BY THESE PRESENTS, that PALMETTO SURETY CORPORATION, a corporation duly authorized and existing under the laws of the State of South Carolina, does constitute and appoint the below-named agent its true and lawful Attorney-In-Fact for it and in its name, place and stead, to execute, and deliver for and on its behalf, as surety, a bail bond only.

Authority of such Attorney-In-Fact is limited to appearance bonds. No authority is provided herein for the execution of surety immigration bonds or to guarantee attorney payments, fines, wage law claims or other payments of any kind on behalf of below named defendant. The named agent is appointed only to execute the bond consistent with the terms of this power of attorney. The agent is not authorized to act as agent for receipt of service of process in any criminal or civil action.

This power is void if altered or erased or used in any combination with other powers of attorney of this company or any other company to obtain the release of the defendant named below or to satisfy any bond requirement in excess of the stated face amount of this power. This power can only be used once. The obligation of the company shall not exceed the sum of

and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power-Of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, PALMETTO SURETY CORPORATION has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 15<sup>th</sup> day of October 2021

Bond Amount \$ 2,000.00 Appearance Date 10/27/2021

Premium \$ 200.00

Defendant: Mackenzie Elaine Brown

Court Henderson

Case # ZICR53859

Expires March 31, 2022

Case #

Case #

County Henderson City Hendersonville St. NC Zip 28792-6729

Offense WFA; M. injury to personal property

Offense

Executing Agent Tonya McEwen



PALMETTO SURETY CORPORATION

*Jan B. Viles*

Chief Executive Officer

(64)